



## Kim J. Landsman

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### Independent Lawyer, Arbitrator, Mediator

Kim Landsman has more than 30 years of experience providing advice and litigating a wide variety of issues. He is best known for his work in intellectual property, where he has advised, negotiated licenses, and handled cases involving copyrights, trademarks, false advertising, patents, and trade secrets. He has also litigated commercial, contractual, employment, and trusts/estates disputes. In the past twenty years, his practice has expanded into serving as a mediator and arbitrator in domestic and international arbitration.

Mr. Landsman is a member of the Roster of Neutrals of the American Arbitration Association and of the International Institute for Conflict Prevention and Resolution, has been a member of the International Trademark Association's Panel of Neutrals, and has served as a mediator in the United States District Courts for the Southern and Eastern Districts of New York. He has served as an arbitrator and mediator in copyright, trademark, trade secret, patent, employment, corporate governance/ownership, and general commercial disputes.

He began his legal career as a law clerk to Judge Arlin M. Adams, U.S. Court of Appeals for the Third Circuit. In private practice, he was at the following law firms:

Associate and partner, Parker Auspitz Neesemann & Delehanty P.C., from 1980 until its merger into Morrison & Foerster in 1987  
Partner, Morrison & Foerster LLP, 1987-February 1995  
Partner, Patterson Belknap Webb & Tyler LLP, February 1995-November 2011  
Partner, Golenbock Eiseman Assor Bell & Peskoe LLP, November 2011-June 2016

He was a Senior Vice President at Two Sigma Investments, LP from July 2016 through June 2019, where he was in charge of litigation, intellectual property, trade secret data privacy, and employment issues. He was brought in to mentor young lawyers, handle litigation and related advice within the department, and supervise outside counsel when they were consulted.

In July 2019 he began an independent practice as lawyer, arbitrator, and mediator.

### Education and Honors

J.D. 1979, Yale Law School, Article & Book Review Editor, *The Yale Law Journal*  
M.A. 1976, Oxford University, Politics and Economics  
A.B. 1974, Vassar College, Honors, Phi Beta Kappa

### Judicial Clerkship

Law Clerk, Judge Arlin M. Adams, United States Court of Appeals for the Third Circuit (1979-1980)

## Practice Areas

Litigation/Alternative Dispute Resolution  
Copyright, Trademark, False Advertising, and Patents  
Trade Secrets & Restrictive Covenants  
Technology Transfer  
Digital & Mobile Media  
Data Privacy Law  
Employment Law  
Corporate Governance/Ownership  
Financial Institutions  
International Business Practice

## Bar Admissions

New York  
U.S. Supreme Court  
U.S. Courts of Appeals for the First, Second, Sixth, Seventh, Eighth, Ninth, and Federal Circuits  
U.S. District Courts for the Southern, Eastern, Northern, and Western Districts of New York

## Speaker

Speaker on fair use in copyright law at the 2013 Fordham Intellectual Property Law Journal Symposium and at the PLI Advanced Copyright Law Annual Review 2014. Presented program at INTA mid-winter meeting on product placement and has conducted CLE presentations on such topics as Internet enforcement and fair use of trademarks and copyrights.  
Guest lecturer at Yale Law School, Brooklyn Law School, Lewis & Clark Law School, and Vassar College.

## Professional Activities

Arbitrator, American Arbitration Association  
CPR Neutral for New York City ADR Panel, Trademark, Hedge Funds, and Employment Dispute-Northeast Member, Silicon Valley Arbitration & Mediation Center  
Mediator in the United States District Courts for the Southern and Eastern Districts of New York  
Charter member of the International Arbitration Club of New York  
Member, Association of the Bar of the City of New York (current member of the Arbitration Committee; past member of the International Commercial Disputes Committee, Federal Courts, Copyright and Literary Property, and Trademark and Unfair Competition Committees)  
Named in *Super Lawyers* in the area of Intellectual Property Litigation  
The Copyright Society, including service on its program planning committee  
The Trademark Reporter (Editorial Board, 1995-1998)

## Publications

Book Review, The Rise of Transparency in International Arbitration: The Case for Anonymous Publication of Arbitral Awards, New York Dispute Resolution Lawyer (Spring 2014)

Principal Author, Publication of International Arbitration Awards and Decisions, a report of the International Commercial Disputes Committee of the New York City Bar Association (February 2014)

Author, Does Cariou v. Prince Represent the Apogee or Burn-Out of Transformativeness in Fair Use Jurisprudence? A Plea for a Neo-Traditional Approach, 24 Fordham Intellectual Property Media & Entertainment Law Journal 321 (2014)

Author, Microsoft Case is Great Example of Emergency Arbitration, Law 360 (December 13, 2013)

Author, *Cariou v. Prince* Confirms Importance of Transformativeness, Law 360 (May 1, 2013)

Author, Two Decisions in Battle Between Old and New Media Leave Little Resolved, New York Law Journal: Outside Counsel (May 24, 2012)

Co-Author with Eric Rasmussen, Special Feature — The Second Circuit Finally Acknowledges the Impact of the Supreme Court's eBay Decision on Preliminary Injunction Standards in Intellectual Property Cases, in IP Today (May 5, 2010)

Author, Cross-Examining a Technical or Scientific Expert, in Take The Witness: CrossExamination In International Arbitration (Lawrence W. Newman and Ben H. Sheppard, Jr., eds. 2010)

Author, Holding Arbitrators to Higher Standards of Impartiality After Scandinavian Reinsurance, New York Law Journal: Outside Counsel (May 21, 2010)

Co-Author with Daniel Glazer and Irene Treloar, "Standing and Joinder Considerations in Trademark Litigations and Licenses," Trademark Law Reporter, Vol. 99 No. 6 (November–December 2009)

Author, Arbitration Fee-Splitting Agreement Invalidated in Employment Dispute, New York Law Journal: Outside Counsel (July 31, 2009)

Author, The Future of Trademark Litigation over Keyword Searches after the Second Circuit's Rescucom Decision, Bloomberg Law Reports: Intellectual Property, Vol. 3, No. 22 (June 2009)